



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340 telephone
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Michael O. Leavitt
Governor

Robert L. Morgan
Executive Director

Lowell P. Braxton
Division Director

June 12, 2002

CERTIFIED RETURN RECEIPT
7099 3400 0016 8895 5293

Russell C. Feller
Feller Stone, Inc.
688 East Chad Ranch Road
Veyo, Utah 84782

Re: Potential Non-Compliance & Division Directive to Suspend Operations, Feller Stone, Inc., TJKSJ Placer, S/053/046, Washington County, Utah

Dear Mr. Feller:

We are in receipt of your letter of June 4, 2002, informing the Division that the TJKSJ Placer permit located in Section 27 & 28, T40S, R16W, SLBM is still valid. We sent you a letter on January 21, 1999 informing you that we were closing this permit. This was due to a report from the BLM that no activity had taken place at the site, and that they were also closing their project file. The Division was unaware that the BLM still considered this permit active.

On March 3, 2001, the Division received an annual report from your company stating that 10-20 tons of rock had been harvested from the site. On March 6, 2001, the Division sent a letter to you informing you that this permit had been closed. The letter stated that if you continued to remove materials from this site, a new small mining notice should be filed with the Division, or payment of past due annual permit fees would be required to reactivate the closed project file. We did not receive any response to that letter stating your preferred alternative for this site.

You stated in your June 4, 2002, letter that this permit had been reactivated by the BLM, therefore, the continued operation of this site was completely within the law. The BLM has confirmed that Feller Stone does have a valid notice to operate at this mine site; however, acceptance of a mining notice by another agency, **does not** infer state approval to commence operations. Feller Stone must also meet the permitting requirements and receive written acceptance from the Utah Division of Oil, Gas and Mining to begin or continue operations at the site.

We again offer you two choices to resolve our permitting requirements:

1. File a new small mining notice (form MR-SMO) for this site, and a new \$150* permit application fee (small mine application form enclosed, if you choose this option); or

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Russell C. Feller
S/053/046
June 12, 2002

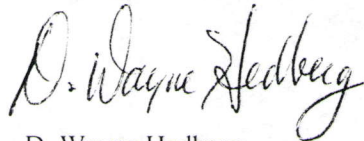
2. To reactivate the previous small mining permit you will need to pay the past due annual permit fees for those years that the project remained active since our January 1999 notification of file closure. (years 1999, 2000, and 2001 = total of \$300). A billing statement is enclosed should you choose this option.

The annual fees will be due again in July for the 2002 fiscal year, at which time the fees will be increased from \$100.00 to \$150.00. *Any new applications or fees received after May 15th will be applied toward the next fiscal year, therefore, must be in the new amount.

At the present time, you are operating without a valid permit from the state of Utah. You are hereby directed to suspend further mining activities and removal of stockpiled materials from this site until this matter is resolved. Your failure to resolve this matter in a timely manner would require us to issue a formal Notice of Non-compliance.

In order to avoid further enforcement action, **please respond to this letter within 15 days of receipt.** In reply, please reference our file number S/053/046 regarding this site. Thank you for your cooperation and immediate attention to this matter. Please contact Doug Jensen at (801) 538-5382, if you have any questions regarding the requirements of this letter.

Sincerely,



D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

Jb
Attachments: Billing statement, form MR-SMO
cc: Rick Rymerson, BLM, St. George FO
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FELLER STONE INC
688 E CHAD RANCH RD
VEYO UT 84782

ATTENTION: RUSSELL C FELLER

DELINQUENCY NOTICE

Annual Permit Fees (July 2001 thru June 2002)

PROJECT NAME	PROJECT ID	ACRES	BILLING DATE
TJKSJ PLACER - RETIRED	S530046	NA	06/26/1998
PERMIT TYPE	PROJECT STATUS	ANNUAL FEE	
SMALL MINING OPERATION < 5 ACRES	ACTIVE	\$ 300	

DUE DATE	AMOUNT DUE
06/27/2002	\$ 300

Please see enclosed instructions for payment.

Please retain this portion for your records. For billing Information call (801) 538-5291

This portion MUST be returned with your payment to ensure proper credit. THANK YOU

ACCOUNT BILLED
FELLER STONE INC

PROJECT NAME
TJKSJ PLACER - RETIRED

PROJECT ID
S530046

DUE DATE	ANNUAL FEE	AMOUNT DUE
06/27/2002	\$ 300	\$ 300

TAX ID OR SOCIAL SECURITY #

☐ **FEE NOT ENCLOSED**

Permittee requests
an inspection to close
out this permit.

Change of Address

Contact

Address

State

Zip

Phone

DIVISION OF OIL GAS AND MINING
1594 WEST NORTH TEMPLE SUITE 1210
PO BOX 145801
SALT LAKE CITY UT 84114-5801

Please make check payable to:
Division of Oil, Gas and Mining